

GARY M. RESTAINO  
United States Attorney  
District of Arizona  
REESE V. BOSTWICK  
Assistant U.S. Attorney  
Arizona State Bar No. 009934  
United States Courthouse  
405 W. Congress Street, Suite 4800  
Tucson, Arizona 85701  
Telephone: 520-620-7300  
Email: reese.bostwick@usdoj.gov  
Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

United States of America,  
  
Plaintiff,  
  
vs.

COMPLAINT FOR FORFEITURE  
IN REM

One 2022 Kia Forte,  
VIN:3KPF24AD1NE476494,  
  
Defendant.

The United States of America, by and through its undersigned attorneys, hereby brings this complaint and alleges as follows in accordance with Supplemental Rule G(2), Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions of the Federal Rules of Civil Procedure:

**NATURE OF THE ACTION**

1. Plaintiff, United States of America, alleges the following upon information and belief for its claim against the above-named defendant, one 2022 Kia Forte, VIN: 3KPF24AD1NE476494 (hereinafter the “Defendant Vehicle”), to enforce the provisions of Title 8, United States Code, Section 1324(b)(1) for the forfeiture of the Defendant Vehicle used in the commission of the offenses of: 1) Title 8, United States Code, Section 1324(a)(1)(A)(v)(I), that is engaging in any conspiracy to commit acts in Title 8, United

1 States Code, Section 1324(a)(1)(A); and 2) Title 8, United States Code, Section  
2 1324(a)(1)(A)(ii), that is, the transportation or attempted transportation of an alien within  
3 or into the United States.

4 **THE DEFENDANT IN REM**

5 2. The Defendant Vehicle is one red 2022 Kia Forte, VIN  
6 3KPF24AD1NE476494 that was seized on May 11, 2022, near Mile Marker 312 on  
7 Arizona State Highway 80 in Tombstone, Arizona. The Defendant Vehicle is presently  
8 within the jurisdiction of this Court and will remain therein throughout the course of these  
9 proceedings.

10 **JURISDICTION AND VENUE**

11 3. This Court has subject matter jurisdiction over an action commenced by the  
12 United States under Title 28, United States Code, Section 1345, and over an action for  
13 forfeiture under Title 28, United States Code, Section 1355(a).

14 4. This Court has in rem jurisdiction over the Defendant Vehicle under Title 28,  
15 United States Code, Section 1355(b).

16 5. Venue is proper in this District pursuant to Title 28, United States Code,  
17 Section 1355(b)(1) because the acts or omissions giving rise to the forfeiture occurred in  
18 this District and/or pursuant to Title 28, United States Code, Section 1395(b) because the  
19 Defendant Vehicle is located in this District.

20 **BASIS FOR FORFEITURE**

21 6. The United States alleges that the Defendant Vehicle is subject to forfeiture  
22 to the United States pursuant to Title 8, United States Code, Section 1324(b)(1) because it  
23 was used in the commission of a violation of Title 8, United States Code, Section  
24 1324(a)(1)(A)(v)(I) and Title 8, United States Code, Section 1324(a)(1)(A)(ii), as is  
25 detailed more fully in the attached Affidavit of United States Department of Homeland  
26 Security Investigations Special Agent Dylan Wall.

27 **FACTS**

28 7. The attached Affidavit of United States Department of Homeland Security

Investigations Special Agent Dylan Wall is incorporated herein by reference.

**CLAIM FOR RELIEF**

WHEREFORE, the United States prays that the Defendant Vehicle be forfeited to the United States, that the Plaintiff be awarded its costs and disbursements in this action, and for such other and further relief as the Court deems proper and just.

Respectfully submitted this 6<sup>th</sup> day of October, 2022.

GARY M. RESTIANO  
United States Attorney  
District of Arizona

*s/Reese V. Bostwick*

REESE V. BOSTWICK  
Assistant U.S. Attorney

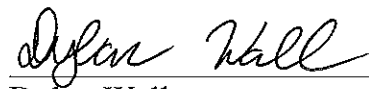
**VERIFICATION**

I, Dylan Wall, hereby verify and declare under penalty of perjury that I am a Special Agent with the United States Department of Homeland Security Investigations, that I have read the foregoing Complaint for Forfeiture In Rem and know the contents thereof, and that the matters contained in the Complaint are true to my own knowledge, except that those matters herein stated to be alleged on information and belief and as to those matters I believe them to be true.

The sources of my knowledge and information and the grounds of my belief are the official files and records of the United States, information supplied to me by other law enforcement officers, as well as my case, together with others, as a Special Agent of the United States Department of Homeland Security Investigations.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: OCTOBER 5th, 2022

  
\_\_\_\_\_  
Dylan Wall  
Special Agent  
United States Department of  
Homeland Security Investigations